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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/543,069	07/22/2005	Jurgen Nowottnick	DE03 0027 US	1199

65913 7590 08/19/2008

NXP, B.V.  
NXP INTELLECTUAL PROPERTY DEPARTMENT  
M/S41-SJ  
1109 MCKAY DRIVE  
SAN JOSE, CA 95131

EXAMINER
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GOINS, DAVETTA WOODS

ART UNIT	PAPER NUMBER
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2612

NOTIFICATION DATE	DELIVERY MODE
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08/19/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.department.us@nxp.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/543,069	<b>Applicant(s)</b> NOWOTTNICK ET AL.	
	<b>Examiner</b> Davetta W. Goins	<b>Art Unit</b> 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____.                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____.  | 6) <input type="checkbox"/> Other: ____.                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Regarding claims 1 and 10, the phrase "for example" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

3. Regarding claims 1, 2 and 10, the phrase "such as" or "in particular", renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1 and 2 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Each of the above claims include the phrase "and/or" to include both limitations with respect to the following limitations within the claim that's not shown within the specification.

Specifically, Claim 1 includes “at least one processing circuit for receiving and/or transmitting the data signals, formed by a voltage between the coupling electrode and the ground electrode, from and to the carrier station..” (also stated further in the claim with respect to the base station). Although it’s clear that the processing circuit is capable of either transmitting or receiving or “both”, it’s unclear from the phrase “from and to the carrier station”, whether the base station is receiving, transmitting or doing both with the processing circuit.

However, the suggested language “between the carrier station” would be appropriate.

Claim 2 states “the coupling electrode of the carrier station, is spatially assigned to the outer case and/or the valve of the wheel or tire”, when the specification shows two different embodiments in which the coupling electrode of the carrier station is assigned to either the outer case “or” the valve of the wheel or tire (not and/or).

### ***Allowable Subject Matter***

6. The following is a statement of reasons for the indication of allowable subject matter: Although the prior art of record disclose tire monitoring devices that communicate with either a carrier station or base station, none of the prior art of record disclose the claimed electronic communication system for a progressive movement means, having at least one base station arranged in the progressive movement means and at least one carrier station, in particular a movable carrier station, that is designed

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to exchange data signals with the base station, where the base station has at least one coupling electrode, at least one ground electrode and at least one processing circuit for transmitting and/or receiving the data signals, formed by a voltage between the coupling electrode and the ground electrode, to and from the carrier station and where the carrier station has at least one coupling electrode, at least one ground electrode and at least one processing circuit for receiving and/or transmitting the data signals, formed by a voltage between the coupling electrode and the ground electrode, from and to the base station, where the coupling electrode of the base station and the coupling electrode of the carrier station are coupled to one another during operation via a coupling path for the transmission of the data signals, which coupling path has at least one capacitive connection provided over at least one electric field, where the ground electrode of the base station is connected electrically or capacitively during operation to an electrical ground body of the progressive movement means and where the ground electrode of the carrier station is connected electrically or capacitively during operation to the electrical ground body of the progressive movement means, characterized in that the carrier station is designed as in each case at least one sensor unit, which is assigned to at least one wheel or tire of the progressive movement means and which is designed to detect and/or determine at least one characteristic parameter of the wheel or tire, such as for example the air pressure and/or the temperature and/or the wear of the wheel or tire.

7. The prior art of record and not relied upon is considered pertinent to the applicant's disclosure as follows. Higgs et al. (US Pat. 5,061,917), Sharpe (US Pat.

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5,335,541), Pollack et al. (US Pat. 6,775,632 B1) and Yones (US Pat. 6,922,134 B1), which disclose tire pressure monitoring systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Davetta W. Goins whose telephone number is 571-272-2957. The examiner can normally be reached on Mon-Fri with every other Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Davetta W. Goins/  
Primary Examiner  
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